S.B. CIVIL WRIT PETITION NO.540/2004

Patram vs. State of Rajasthan & ors.

Date : 15.12.2004

HON'BLE MR. PRAKASH TATIA, J.

Mr. Sajjan Singh, for the petitioner.

Mr. S.P. Arora, for respondent no.5

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Heard learned counsel for the parties.

It appears that by order dated 28.10.2003, the Board of Revenue in a contempt proceeding made certain provision about disposal of the standing crop looking to urgency only and has not passed any order punishing the alleged contemner.

Learned counsel for the petitioner submits that the main appeal is pending before the Board of Revenue. In that view of the matter, proper order may be sought from the Board of Revenue in appeal and there appears to be no reason for interference in order dated 28.10.2003 by which no action was taken against any of the party for committing disobedience of the order passed in proceedings under Order 39 Rule 2A C.P.C. The petitioner may move an application before the Board of Revenue for early disposal of the appeal.

Accordingly, this writ petition is disposed of with a liberty to the petitioner to move an application before the Board of Revenue for early disposal of his appeal and for any other order.

(PRAKASH TATIA), J.

S.Phophaliya